



POLICY 7.21

5-D I recommend that the Board approve development of the proposed **revised** Policy 7.21, entitled "Building Code."

[Contact: Thomas Hogarth, PX 27597.]

Development

CONSENT ITEM

- The revised policy updates the references and codification of Florida Statutes and of the Florida Administrative Code provisions.

POLICY 7.21

BUILDING CODE

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1. All new construction including relocatables, additions, remodeling of existing facilities or renovation of existing facilities shall conform to and comply with the Florida Building Code (FBC) including but not limited to Chapter 423, and the Florida Fire Prevention Code (FFPC) pursuant to Fla. Stat. § 1013.37 and shall be consistent with applicable provisions of the State Requirements for Educational Facilities (SREF), ~~Vol. 1.~~

2. All comprehensive safety inspections, maintenance and repair, and operation of facilities and equipment for existing facilities shall conform to and comply with Fla. Stat. Chapter 1013, the FBC and FFPC, and SREF ~~Vol. 1 § 4.4 as approved by the Florida State Board of Education updated by the Department of Education for consistency with the K-20 Education Code.~~

3. By the authority of Fla. Stat. § 553.80(6), 1013.371, 1013.38 and as stated in 553.71(5), the "local school board . . . [has] jurisdiction to make inspections of buildings and to enforce the codes which establish standards for design, construction, erection, alteration, repair, modification, or demolition of public or private buildings, structures, or facilities" of the School District. Pursuant to such authority and Fla. Stat. § 553.73(4)(a), the Board shall amend its administration of the FBC to include the following provisions:
 - a. By amendment to FBC § ~~403.4~~ 104.1, the Director of the Building Department/qualified designee(s) ("building official") is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code, which are consistent with its intent and purpose. Such interpretations shall not have the effect of waiving requirements specifically provided for in this code.

 - b. By amendment to FBC § ~~403.3~~ 104.3, upon notice from the building official, work on any building, structure, electrical, gas, mechanical or plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner, shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property (the Board), or to its agent (the Superintendent/qualified designee), or to the person doing the work (e.g., contractors), and shall state the conditions under which work may be resumed. Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work.

4. As required by Fla. Stat. § 553.73(4)(a), the local amendments to the FBC administrative provisions as set forth in paragraphs (3)(a), (b) shall be transmitted

38 to the Florida Building Commission within the Florida Department of Community
39 Affairs within 30 days of the effective date of this Policy revision in ~~2003~~ 2009 and
40 shall be available to the general public.

41 STATUTORY AUTHORITY: Fla. Stat. §§ 553.73(4)(a); 1001.41(2);1001.42(22);
42 1001.43(4)

43 LAWS IMPLEMENTED: Art. XII § 9(a), Art. XII § 9(d), Fla. Constitution; Fla. Stat. §§
44 553.71(5); 553.73(4)(a); 553.80(6); 1001.42(9); 1001.43(4); 1013.12; 1013.37;
45 1013.371; 1013.372; 1013.38; 1013.39; 1013.46; 1013.47

46 RULES SUPPLEMENTED: SBER 6-2.0001; 6A-2.0111

47 HISTORY: 5/21/2001; 4/28/03; ___/___2009

Legal Signoff:

The Legal Department has reviewed proposed Policy 7.21 and finds it legally sufficient for development by the Board.

Attorney

Date